

Application No. 10/848,745
Amendment Dated July 8, 2005
In Reply to USPTO Office Action Dated February 10, 2005
Confirmation No. 4645
Attorney Docket No. 2475-040292

AMENDMENTS TO THE DRAWINGS

Please enter the enclosed additional six (6) sets of drawings as Figs. 3-8 in the application.

Application No. 10/848,745
Amendment Dated July 8, 2005
In Reply to USPTO Office Action Dated February 10, 2005
Confirmation No. 4645
Attorney Docket No. 2475-040292

RESPONSE UNDER 37 C.F.R. § 1.105

The undersigned is advised that the public did not have access to the claimed variety anytime or anywhere before the filing date of the instant application. Therefore, a rejection under 35 U.S.C. § 102(b) is wholly inappropriate. However, pursuant to the Examiner's request, please find enclosed non-certified copies of the European Community Plant Variety Rights Application forms for 'Broncoh'.

REMARKS

The disclosure is objected to and the claim stands rejected pursuant to 37 C.F.R. § 1.163(a) and under 35 U.S.C. § 112, first and second paragraphs. Applicant believes that the amendments made to the specification and the submission of additional photographs specifically address the Examiner's objections detailed in Paragraphs A-G on pages 3-4 of the Office Action. Withdrawal of the objection and reconsideration of the rejection under 35 U.S.C. § 112, first and second paragraphs, is respectfully requested.

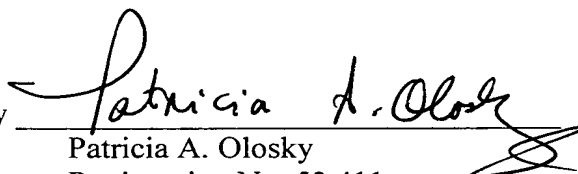
Applicant has also complied with the Requirement for Information under 37 C.F.R. § 1.105.

CONCLUSION

In light of the foregoing, allowance of the claim is respectfully requested.

Respectfully submitted,

THE WEBB LAW FIRM

By 

Patricia A. Olosky
Registration No. 53,411
Attorney for Applicant
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219-1845
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com